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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/691,900 08/01/96 APTE

J 2-4

EXAMINER

TM02/0213

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MIDDLETOWN NJ 07748

ROMAIN, J

ART UNIT

PAPER NUMBER

2163

DATE MAILED:

02/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/691,900

Applicant(s)

Apte et al.

Examiner

Romain Jeanty

Group Art Unit

2163



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-36, 41, 42, 48-52, and 54-60 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-36, 41, 42, 48-52, and 54-60 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Objections

1. Claims 1 and 48 are objected to because of the following informalities:

Claim 1: It appears that the word "functioning" should be replaced with function.

Claim 48: It appears that the word "by" should be replaced with --to--.

Claim Rejections - 35 U.S.C. § 112

2. Claims 1, 13, 22, and 41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1 and 13, and 22, it is unclear as to what the applicant is referring to function substantially independently". Applicant is required to amend the claim to specify whether the "advertisement software" of the advertisement" itself is being function substantially independently".

Claim 41 recites the limitation "maintaining the original functionality". There is insufficient antecedent basis for this limitation in the claim. Further, it is unclear what the applicant is claiming by maintaining the original functionality of the browser in the browser area. Applicant is required to amend the claim to specify whether maintaining

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the original functionality of the browser mean that the browser is separated from the advertisement software.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-5, 7-11, 22, 25, 27, 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5,740,549) in view of Judson et al (5,721,721).

As per claim 1, 22, Reilly discloses an information and advertising distribution system comprising:

A server having advertisements, the server connected to a network (col. 2, lines 63-65).

A client computer comprising advertisement software, a display device (, an input device, said client computer connected to the network (col. 2, lines 61 to col. 3, line 24), said advertisement software controlling the presentation of a first set of information to the user in a first region of the display device, said advertisement software adapted to receive an advertisement from said server, to include said advertisement in said first set of information presented to the user in said first region of the display system (col. 4, lines 53-65).

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It is noted, however, Reilly does not specifically detail the claimed features of “the browser controlling the presentation of second set of information to the user in a second region of the display device.... and to function substantially independently of the browser on the client computer. However Judson discloses a method of browsing the World Wide Web using a browser for displaying information including advertisements (col. 2, 44-49 and col. 9, lines 28-52). It would have been obvious to a person of ordinary skill in the art at the time of the applicant’s invention to modify the advertising distribution system of Reilly wherein the advertisement image provided thereof (see Reilly figure 6, element 232) would have incorporated the browser teachings of Judson. The motivation being to display advertised product information to clients.

As per claim 2, Reilly further discloses the claimed limitation “wherein a media clip related to the advertisement presently displayed by the advertisement software to the user is shown on said user computer when said media clip is requested by the user” by discussing providing full motion video of electronic publication information (col 2, lines 4-9).

As per claims 4, 27, and 50, Reilly further discloses the claimed limitation “further comprising a communications button for establishing communication between the user and a sales agent, said communication button displayed by the advertising software to the user, and wherein communications are established between the sales agent and the user at the user’s request when the user selects the communications button” by clicking on the advertisement to connect to an advertiser’s web page. Note column 6, lines 1-10 of Reilly.

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As per claims 5 and 51, Reilly further discloses the claimed limitation “means for the user to select advertising topics, wherein advertisements pertaining to the selected advertising topics are displayed to the user by the advertising software” by selecting which types of topics that are of interest to the user/subscriber (Note column 2, lines 48-53).

As per claim 7, Judson discloses the claimed limitation “further comprising an advertisement service home page on said server, said home page displayed to a user at the user’s request (col. 7, lines 15-30).

As per claim 8, Judson further discloses the claimed limitation “wherein the an advertisement displayed to the user by said advertising software comprises at least one link that loads and displays a page in said browser area when said link is selected by a user” by providing a link to the user (col. 4, lines 16-20 and col. 5, lines 10-20).

As per claim 9, Reilly discloses the claimed limitation “wherein an advertisement related to at least one page displayed to a user by said browser is displayed to the user by said advertising software” by displaying news information to a subscriber. Note column 6, lines 57-67).

As per claim 10, Judson discloses an electronic coupon that may be selected by a user, wherein the electronic coupon is stored on the client computer and redeemed by the user during a secure purchase transaction. Note column 7, lines 47-58 of Judson.

As per claim 11, Reilly does not explicitly disclose displaying a previously displayed advertisement at the user’s request. However, it would have been obvious to a person of ordinary skill in the art at the time of the applicant’s invention to display a previously displayed advertisement at the user’s request for the motivation of allowing a

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user to review an advertisement that has already been viewed by the user, thereby allowing the user to select between an old advertisement and a most current advertisement.

As per claim 25, Judson discloses the claimed limitation "further comprising the immediately displaying the next advertisement in said advertisement area at the user's request" by clicking on the forward button. See figure 8 of Judson.

5. Claims 3 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5,740,549) as applied to claim 1 above, and further in view of Hawkins (Electronic Advertising)

As per claims 3 and 26, it is noted that Reilly does not disclose the claimed limitation "wherein a secure purchase transaction is effectuated through said client computer at the user's request. Hawkins discloses an advertising system wherein a user can secure a purchase when a product is displayed to the user (Note entire page 30 of Hawkins). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the advertising system of Reilly to include this feature being taught by Hawkins. In so doing would allow a customer to do direct transactions with an advertiser.

6. Claims 6, 15 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5740549) as applied to claim 1 above, and further in view of Scroggie (6,185,541).

As per claims 6, 15 and 30, it is noted that Reilly does not disclose "further comprising a help page on said server, said help page displayed to the user by said browser when the user selects a help button displayed to the user by said advertising

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software". Scroggie teaches a method for providing shopping aids and incentives to customers through a computer network which discloses a help page (col. 6, lines 38-45 and col. 7, lines 26-32). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the advertising distribution system of Reilly by including a help page as taught by Scroggie. In so doing would help the user to find any related advertised products information, thereby making it easy to choose an advertised product.

5. Claims 12, 23, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5,740,549) as applied to claim 1 above, and further in view of Trader et al (5,909,670).

As per claims 12, 23, and 52, Reilly does not explicitly disclose a mean to pause the display of the advertisement in the sequence at the user's request. However, Trader disclose a system for manipulating playback of advertisement selected from an electronic classified advertising system comprising pausing of an advertisement (col. 2, lines 37-42). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the advertising system of Reilly by including pausing of the advertisement as taught by Trader. In so doing would allow the user to perform other activities and resume the advertisement when desired at a later time.

7. Claims 13, 14, 16-21, 24, 28, 29, 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5,740,549) in view of Judson et al (5,721,721) and further in view of Hawkins (Electronic Advertising)

As per claim 13, Reilly discloses:

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A server having advertisements, the server connected to a network (col. 2, lines 63-65).

A client computer comprising advertisement software, a display device (, an input device, said client computer connected to the network (col. 2, lines 61 to col. 3, line 24), said advertisement software controlling the presentation of a first set of information to the user in a first region of the display device, said advertisement software adapted to receive an advertisement from said server, to include said advertisement in said first set of information presented to the user in said first region of the display system (col. 4, lines 53-65).

Reilly further discloses the claimed limitation "A display area where advertisements are displayed in sequence to the user" by displaying advertisement information to a subscriber's computer. Note col. 5, lines 1-23 of Reilly.

It is noted, however, Reilly does not specifically disclose the claimed features of "the browser controlling the presentation of second set of information to the user in a second region of the display device.... and to function substantially independently of the browser on the client computer. However Judson discloses a method of browsing the World Wide Web using a browser for displaying information to include advertisements (col. 2, 44-49 and col. 9, lines 28-52). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the advertising distribution system of Reilly wherein the advertisement image provided thereof (see figure 6, element 232 of Judson) would have incorporated the browser teachings of Judson. The motivation being to display advertised product information to clients.

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Furthermore it is noted that the combination of Reilly and Judson does not explicitly disclose“ a transaction area having a secure purchase button for effectuating a secure purchase transaction at the user’s request”. Hawkins discloses an advertising system wherein a user can secure a purchase transaction when a an advertisement is being viewed by the user (Note entire page 30 of Hawkins). Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the advertising system of Reilly and Judson to include this feature as taught by Hawkins. In so doing would allow a customer to do direct purchase transactions with an advertiser.

As per claim 14, Reilly further discloses the claimed limitation “further comprising a communications button for establishing communication between the user and a sales agent, said communication button displayed and the advertising software to the user, and wherein communications are established between the sales agent and the user at the user’s request when the user selects the communications button” by clicking on the advertisement to connect to the advertiser’s web page. Note column 6, lines 1-10 of Reilly.

As per claim 16 and 28, Judson discloses the claimed limitation “further comprising multimedia information on the server, wherein said advertising are further comprises a multimedia button, and wherein said multimedia information is displayed in said browser area when said multimedia button is selected by the user” by allowing a user to select multimedia information (col. 6, lines 48-60).

As per claims 17 and 29, Judson discloses the claimed limitation “further comprising a home page on said browser, and wherein said advertising area further

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comprising a home page, and wherein said home page is displayed in said browser area when said home page button is selected by the user". Note figure 4 and col. 7, lines 15-33 of Judson.

As per claims 18 and 31, Reilly discloses the claimed limitation "wherein said advertisement area further comprises an advertising topic list, and wherein said advertisements pertaining to topics selected by the user are displayed in said advertising display area" by selecting which types of topics that are of interest to the user/subscriber (Note column 2, lines 48-53).

As per claim 19, Judson discloses the claimed limitation "wherein said advertisement displayed by said advertising software comprises at least one link that loads and displays a page in said browser area when selected by a user" by providing a link to the user (col. 4, lines 16-20 and col. 5, lines 10-20).

As per claim 20, Reilly discloses the claimed limitation "wherein said server targets said advertisements to the user, said server transmitting advertisements related to pages displayed through said browser on the client computer at the user's request" by categorizing advertising information for certain subscribers (col. 2, lines 42-47).

As per claims 21 and 34, Judson discloses the claimed limitation "wherein an advertisement is stored on said client computer as an electronic coupon when selected by the user, said electronic coupon redeemable during a secure transaction" by providing merchandise redeemable coupon to his viewers (col. 7, lines 50-58).

As per claim 24, Judson discloses the claimed limitation "further comprising the steps of caching a predetermined number of advertisements on the client computer (see abstract and col.5, lines 36-44). Judson further discloses "stepping the display of the

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sequence of advertisements and stepping backward and forward through and displaying said cached advertisements to the user's request" by providing a backward and forward button (see figure 4).

Judson discloses the claimed limitation "further comprising the step of immediately displaying the next advertisement in said advertisement at the user's request" by clicking on the forward button of figure 4.

As per claim 32, Reilly discloses the claimed limitation "further comprising the step of displaying an advertiser page in the browser area when the advertisement shown in the advertising area is selected by a user" by displaying an advertiser web page to the subscriber (col. 13, lines 10-25).

As per 33, Reilly discloses determining the topics of pages viewed through said browser on said client computer at the user's request, selecting advertisements related to said topics, and transmitting said advertisement related to said topics to said client (col. 7, lines 13-38).

8. Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5740549) in view of Judson (US 5737619), and further in view of Hawkins (Electronic Advertising).

As per claim 35, Reilly discloses:

Loading advertising software from a server on a client computer, streaming a sequence of advertisements from said server to said client computer at the request of the client computer (col. 2, lines 2-7 and col. 5, line 47-48), displaying said advertisement to the user in said advertisement area (col. 4, lines 53-65 and col. 5, lines 24-33).

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It is noted, however, Reilly does not specifically a browsing area the claimed features of “the browser controlling the presentation of second set of information to the user in a second region of the display device.... and to function substantially independently of the browser on the client computer. However Judson discloses a method of browsing the World Wide Web using a browser for displaying information including advertisements (col. 2, 44-49 and col. 9, lines 28-52). It would have been obvious to a person of ordinary skill in the art at the time of the applicant’s invention to modify the advertising distribution system of Reilly wherein the advertisement image provided thereof (see Reilly figure 6, element 232) would have incorporated the browser teachings of Judson. The motivation being to display advertised product information to clients.

Further, it is noted that Reilly does not explicitly disclose the claimed limitation “accepting a secure purchase request from a user for the item offered in a presently displayed advertisement”. Hawkins discloses an advertising system wherein a user can secure a purchase when a product is displayed to the user (Note entire page 30 of Hawkins). Therefore, It would have bee obvious to a person of ordinary skill in the art at the time the invention was made to modify the advertising system of Reilly to include this feature being taught by Hawkins. In so doing would allow a customer to do direct transactions with an advertiser.

Furthermore, Reilly does not explicitly disclose accepting purchaser information from the user. Official Notice is taken it is old and well known in electronic commerce art for purchasers to submit purchaser’s information such as a credit or debit card to a merchant when doing a purchase transaction. Thus, it would have been obvious to a

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person of ordinary skill in the art at the time of the applicant's invention to accept this type of purchaser information into Reilly. The motivation being to ensure that the purchaser has adequate fund for the purchase transaction.

As per claim 36, Official Notice is taken that it is old and well known in the financial art for most credit card to contain information such as the name of the credit card vendor, the user's name and credit card number, and the expiration date of the user's credit card. A purchase information comprising a credit card with these types of information would have been obvious to a person skilled in the art for in order to obtain proper credit information of the purchaser.

9. Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5740549) in view of Judson (US 5737619), and in view Hawkins (Electronic Advertising), and further in view of Gifford (US 5,724,424).

As per claim 41, Reilly discloses:

Loading advertising software from a server on a client computer, streaming a sequence of advertisements from said server to said client computer at the request of the client computer (col. 2, lines 2-7 and col. 5, line 47-48), displaying said advertisement to the user in said advertisement area (col. 4, lines 53-65 and col. 5, lines 24-33).

It is noted that Reilly does not specifically a browsing area the claimed features of "the browser controlling the presentation of second set of information to the user in a second region of the display device.... and to function substantially independently of the browser on the client computer. However Judson discloses a method of browsing the World Wide Web using a browser for displaying information including advertisements (col. 2, 44-49 and col. 9, lines 28-52). It would have been obvious to a person of

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ordinary skill in the art at the time of the applicant's invention to modify the advertising distribution system of Reilly wherein the advertisement image provided thereof (see Reilly figure 6, element 232) would have incorporated the browser teachings of Judson. The motivation being to display advertised product information to clients.

Further, it is noted that Reilly does not disclose the claimed limitation "accepting a secure purchase request from a user for the item offered in a presently displayed advertisement". Hawkins discloses an advertising system wherein a user can secure a purchase when a product is displayed to the user (Note entire page 30 of Hawkins). Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the advertising system of Reilly to include this feature being taught by Hawkins. In so doing would allow a customer to do direct transactions with an advertiser.

Furthermore, Reilly does not explicitly disclose accepting purchaser information from the user. Official Notice is taken it is old and well known in electronic commerce art for purchasers to submit purchaser's information such as a credit or debit card to a merchant when doing a purchase transaction. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to accept this type of purchaser information into Reilly. The motivation being to ensure that the purchaser has adequate fund for the purchase transaction.

Further, Reilly does not explicitly disclose "accepting a confidential authentication password from a user and forwarding preregistered purchaser information to the sponsor of said presently displayed advertisement if the confidential authentication password provided by the user matches a confidential authentication password stored on said

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server, and generating an error message if said password provided by the user does not match said password stored on said server. Gifford discloses a digital advertising system for purchasing goods or information which teaches a password authentication system to include comparing a personal identification number against a number in a database (col. 11, lines 8-59). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the disclosure of Reilly by including a confidential password authentication. In so doing would prevent unauthorized users from using the system, thereby providing system security.

As per claim 42, Judson discloses an electronic coupon that may be selected by a user, wherein the electronic coupon is stored on the client computer and redeemed by the user during a secure purchase transaction (col. 7, lines 47-58).

10. Claims 48-49, 54-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (US 5,740,549) in view of Judson (US 5,737,619).

As per claim 48, Reilly discloses an information and advertising distribution system comprising:

A microprocessor (figure 1, element 110), an advertisement software adapted to retrieve and display an advertisement from an advertising server, and a display device on which to display the hypertext page and an advertisement to the user (column 5, lines 25-60).

It is noted, however, Reilly does not specifically disclose the claimed features of “a memory that stores browser software adapted to be executed to retrieve and display a hypertext page from a site the. However, Judson discloses a method of browsing the World Wide Web using a browser for displaying information including advertisements

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(col. 2, 44-49 and col. 9, lines 28-52). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the advertising distribution system of Reilly wherein the advertisement image provided thereof (see Reilly figure 6, element 232) would have incorporated the browser teachings of Judson. The motivation being to display advertised product information of interest to clients.

As per claim 49, Reilly discloses an advertisement software is adapted be executed by the microprocessor to display an advertisement that is part of a stream of advertisements (col. 7, lines 47-58).

As per claim 54, Reilly further discloses wherein the advertisements are streamed from the advertising server to said client computer (col. 5, lines 8-23).

As per claim 55, Judson discloses the claimed limitation "a microprocessor to display a step forward button an media clip button, such that when said media clip button is selected, multimedia information is shown to the user that is related to the advertisement that is shown to the user at the time the user the multimedia button" by displaying a step back button. Note figure 4 and col. 7, lines 59-64 of Judson.

As per claims 56, 57 and 58, Judson discloses the claimed invention wherein said advertising software is adapted to be executed by said processor to display a secure purchase button, such that when said secure purchase button is selected by the user, the user is presented with a graphical user interface through which the user purchases a products related to the advertisement displayed to the user at the time the user selects the secure purchase button" by presenting the user with a graphical user interface to select an advertised product (col. 2, lines 42-58). The examiner notes that the graphical user interface can be presented by the advertising or the browser software.

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As per claim 59, Judson discloses the claimed limitation wherein said advertisement software is adapted to be executed by said processor to display an electronic coupon button, such that when said electronic button is selected by the user, an electronic coupon is stored at the client computer for a product related to the advertisement displayed to the user at the time the user selects the electronic coupon (col. 7, lines 50-58)

As per claim 60, Judson discloses a microprocessor to display a home page button, such that when the home page button is selected by the user, a page is displayed to the user by the browser software, wherein the page included information pertaining to the sponsor of the advertisement that was displayed to the user at the time the user selected the home page button. Note figure 4 and col. 7, lines 15-33 of Judson.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (703) 308-9585.

The examiner can normally be reached on weekdays from 8:00 a.m to 4:30 p.m.

If attempts to reach the examiner are not successful, the examiner's supervisor, Tariq R. Hafiz, can be reached at (703) 305-9643.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 308-5357.

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Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703)308-3900.

Romain Jeanty

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January 6, 2001.



TARIQ R. HAFIZ
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